

## A BILL

FOR AN ACT TO REPEAL SECTION 231, 4256 AND 4291 OF THE CODE OF 1873  
AND TO FIX THE NUMBER OF GRAND JURORS, AND PROVIDING FOR TAX-  
ING THE COSTS OF INVESTIGATION IN CERTAIN CASES TO THE PERSON  
INVESTIGATING IT.

*Be it enacted by the General Assembly of the State of Iowa :*

SECTION 1. That Sections 231, 4256 and 4291 of the Code of 1873 be and the same are  
2 hereby repealed and the following enacted in lieu thereof.

SEC. 2. The number of grand jurors shall be seven, and in counties containing less  
2 than fifteen thousand inhabitants as shown by the last preceding census, the trial  
3 jury shall consist of fifteen unless the judges otherwise orders. But in counties con-  
4 taining a greater number of inhabitants the number of trial jurors shall be twenty-four.

SEC. 3. At a term of court at which grand jurors are required to appear the panel  
2 shall be called and the names of the grand jurors who shall appear shall be entered on  
3 the record. If seven grand jurors do not appear or if the number appearing be reduced  
4 from any cause either then or afterward to less than seven the court may order the  
5 sheriff of the county to summon a sufficient number of qualified persons to complete  
6 the panel.

SEC. 4. An indictment cannot be found without the concurrence of five grand jurors  
2 and when so found it must be endorsed "A true bill" and the endorsement must be  
3 signed by the foreman of the grand jury.

SEC. 5. Whenever it shall appear to the grand jury that there was not probable  
2 cause for believing the accused guilty of any offense presentable by indictment, they  
3 shall report such fact to the court together with the name of the person at whose  
4 instance such investigation was had and all the evidence by them taken in such case  
5 and the court, if satisfied that the person causing such investigation to be had did not  
6 have probable cause to believe the accused guilty of an indictable offense, shall tax all  
7 the costs of such investigation and enquiry before the grand jury and before the court  
8 to said person and execution shall issue therefor.